

REMARKS

Claims 1-7 and 9-12 are presented for further examination. Claims 1, 2, 9-12 have been amended to particularly point out and distinctly claim the subject matter of the present invention.

In the Office Action mailed December 16, 2004, the Examiner rejected claims 1-7 and 9-12 under 35 U.S.C. 102(e) as anticipated by DeClerck et al. (US 6,198,937 B1). However, applicant asserts that the present invention is absolutely different from the DeClerck et al. patent.

DeClerck et al. describe controlling radio link capacity of each type of the radio transmission technologies (2G and 3G) by taking into consideration individual radio link performance or radio transmission technologies type. In addition, DeClerck et al. teach a handoff between 3G and 2G for controlling radio link capacity within one base station which supports 2G and 3G transmission technologies based on a quality metric report 114 and communications 115 and 116, wherein the quality metric report 114 includes a information about a quality of radio link between at least one of the plurality of mobile stations and the base station and information about frame error rate or symbol error rate metric of at least one of the plurality of radio links.

However, DeClerck et al. do not disclose a hard handoff method from an asynchronous CDMA base station to a synchronous CDMA base station based on movement of the mobile terminal.

Furthermore, DeClerck et al. do not teach or suggest that a synchronous CDMA base station generates not only synchronous CDMA channels but also asynchronous CDMA channels, *i.e.*, a synchronization channel and a common pilot channel. However, the synchronous CDMA base station of the present invention transmits an asynchronous CDMA channel, which includes an asynchronous CDMA synchronization channel and an asynchronous CDMA common pilot channel, to a mobile terminal communicating with the asynchronous CDMA base station for synchronizing a handoff time at the synchronous CDMA base station. Herein the synchronous CDMA base station further transmits synchronous CDMA channels to other mobile terminals.

As above described, the present invention is absolutely different from DeClerck et al. Therefore, applicants submit that the amended claims are now patentable over DeClerck et al.

Claim 1 is directed to a hard handoff method from an asynchronous CDMA base station to a synchronous CDMA base station. The method includes a first step of transmitting asynchronous CDMA channels that include an asynchronous CDMA synchronization channel and an asynchronous CDMA common pilot channel to a mobile terminal communicated with the asynchronous CDMA base station for synchronizing a handoff time at the synchronous CDMA base station, wherein the synchronous CDMA base station further transmits synchronous CDMA channels to other mobile terminals. Claim 1 further recites a second step of measuring each intensity of asynchronous CDMA common pilot channels outputted from the synchronous CDMA base station and the asynchronous CDMA base station to report the measured result to the asynchronous CDMA base station, a third step of transmitting a handoff request message to the synchronous CDMA base station on the basis of the result reported from the mobile terminal, a fourth step of transmitting an information to the asynchronous CDMA base station that is necessary to performing a hard handoff, and a fifth step of performing the hard handoff from the asynchronous CDMA base station to the synchronous CDMA base station in response to the information received from the asynchronous CDMA base station through a traffic channel. In view of the discussion set forth above regarding DeClerck et al., *i.e.*, that DeClerck et al. do not disclose a hard handoff method from an asynchronous CDMA base station to a synchronous CDMA base station based on movement of the mobile terminal, the generation of not only synchronous CDMA channels but also CDMA synchronous channels for synchronizing a handoff time of the synchronous CDMA base station, claim 1 and dependent claims 2-7, as well as independent claims 9-12 are clearly allowable.

In the event the Examiner finds minor informalities that can be resolved by telephone conference, the Examiner is urged to contact applicants' undersigned representative by telephone at (206) 622-4900 in order to expeditiously resolve prosecution of this application. Consequently, early and favorable action allowing these claims and passing this case to issuance is respectfully solicited.

The Director is authorized to charge any additional fees due by way of this Amendment, or credit any overpayment, to our Deposit Account No. 19-1090.

All of the claims remaining in the application are now clearly allowable. Favorable consideration and a Notice of Allowance are earnestly solicited.

Respectfully submitted,

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